

UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF PUERTO RICO

In re:

THE FINANCIAL OVERSIGHT AND
MANAGEMENT BOARD FOR PUERTO RICO,

as representative of

THE COMMONWEALTH OF PUERTO RICO et al.,

Debtors.¹

PROMESA

Title III

No. 17 BK 3283-LTS

(Jointly Administered)

ORDER GRANTING TWO HUNDRED FORTY-SIXTH OMNIBUS OBJECTION
(NON-SUBSTANTIVE) OF THE COMMONWEALTH OF PUERTO RICO, PUERTO RICO
HIGHWAYS AND TRANSPORTATION AUTHORITY, AND EMPLOYEES RETIREMENT
SYSTEM OF THE GOVERNMENT OF THE COMMONWEALTH OF PUERTO RICO TO
DEFICIENT CLAIMS WITH RESPECT TO WHICH MAILING RESPONSES WERE RECEIVED

Upon the *Two Hundred Forty-Sixth Omnibus Objection (Non-Substantive) of the Commonwealth of Puerto Rico, Puerto Rico Highways and Transportation Authority, and Employees Retirement System of the Government of the Commonwealth of Puerto Rico to Deficient Claims with Respect to Which Deficient Mailing Responses Were Received* (Docket Entry No. 14218, the “Two Hundred Forty-Sixth Omnibus Objection”),² filed by the

¹ The Debtors in these Title III Cases, along with each Debtor’s respective Title III case number and the last four (4) digits of each Debtor’s federal tax identification number, as applicable, are the (i) Commonwealth of Puerto Rico (the “Commonwealth”) (Bankruptcy Case No. 17 BK 3283-LTS) (Last Four Digits of Federal Tax ID: 3481); (ii) Puerto Rico Sales Tax Financing Corporation (“COFINA”) (Bankruptcy Case No. 17 BK 3284-LTS) (Last Four Digits of Federal Tax ID: 8474); (iii) Puerto Rico Highways and Transportation Authority (“HTA”) (Bankruptcy Case No. 17 BK 3567-LTS) (Last Four Digits of Federal Tax ID: 3808); (iv) Employees Retirement System of the Government of the Commonwealth of Puerto Rico (“ERS”) (Bankruptcy Case No. 17 BK 3566-LTS) (Last Four Digits of Federal Tax ID: 9686); (v) Puerto Rico Electric Power Authority (“PREPA”) (Bankruptcy Case No. 17 BK 4780-LTS) (Last Four Digits of Federal Tax ID: 3747); and (vi) Puerto Rico Public Buildings Authority (“PBA”, and together with the Commonwealth, COFINA, HTA, ERS, and PREPA, the “Debtors”) (Bankruptcy Case No. 19-BK-5532-LTS) (Last Four Digits of Federal Tax ID: 3801) (Title III case numbers are listed as Bankruptcy Case numbers due to software limitations).

² Capitalized terms not otherwise defined herein shall have the meanings given to such terms in the Two Hundred Forty-Sixth Omnibus Objection.

Commonwealth of Puerto Rico (“Commonwealth”), the Puerto Rico Highways and Transportation Authority (“HTA”), and the Employees Retirement System of the Government of the Commonwealth of Puerto Rico (“ERS”), dated September 11, 2020, for entry of an order disallowing in their entirety certain claims filed against the Commonwealth, HTA, or ERS, as more fully set forth in the Two Hundred Forty-Sixth Omnibus Objection and supporting exhibits thereto; and the Court having jurisdiction to consider the Two Hundred Forty-Sixth Omnibus Objection and to grant the relief requested therein pursuant to PROMESA section 306(a); and venue being proper pursuant to PROMESA section 307(a); and due and proper notice of the Two Hundred Forty-Sixth Omnibus Objection having been provided to those parties identified therein, and no other or further notice being required; and upon the *Notice of Presentment of Proposed Order (A) Granting in Part the Two Hundred Forty-Sixth Omnibus Objection (Non-Substantive) of the Commonwealth of Puerto Rico, Puerto Rico Highways and Transportation Authority, and Employees Retirement System of the Government of the Commonwealth of Puerto Rico to Deficient Claims with Respect to Which Deficient Mailing Responses Were Received, (B) Approving Form of Notice for Claims to be Set for Hearing, and (C) Granting Related Relief* (Docket Entry No. 14730, the “Notice”), dated October 20, 2020, for entry of an order disallowing the Remaining Claim, the Deficient Claims to Be Disallowed via Notice of Presentment, and the Deficient Claims with Undeliverable Addresses (as defined below), as more fully set forth in the Notice; and, upon the record of the hearing held on the Two Hundred Forty-Sixth Omnibus Objection on January 14, 2021, and the rulings made therein, Proof of Claim No. 11287 having been found to assert liabilities for which neither the Commonwealth, ERS, nor HTA is liable; and the Court having determined that the relief sought in the Two Hundred Forty-Sixth Omnibus Objection is in the best interests of the Commonwealth, HTA,

ERS, their creditors, and all parties in interest; and the Court having determined that the legal and factual bases set forth in the Two Hundred Forty-Sixth Omnibus Objection establish just cause for the relief granted herein; and after due deliberation and sufficient cause appearing therefor, it is hereby

ORDERED that the Two Hundred Forty-Sixth Omnibus Objection is GRANTED as set forth herein; and it is further

ORDERED that Proof of Claim No. 11287, identified on Exhibit A hereto (the “Remaining Claim”) and the claims identified on Exhibit C hereto (the “Deficient Claims to Be Disallowed via Notice of Presentment”) are hereby disallowed in their entirety; and it is further

ORDERED that Prime Clerk, LLC, is authorized and directed to designate the Remaining Claim, the Deficient Claims to Be Disallowed via Notice of Presentment, and the Deficient Claims with Undeliverable Addresses as expunged on the official claims registry in the Title III Cases; and it is further

ORDERED that this Order resolves Docket Entry No. 14218 in Case No. 17-3283; and it is further

ORDERED that this Court shall retain jurisdiction to hear and determine all matters arising from or related to the implementation, interpretation, or enforcement of this Order.

SO ORDERED.

Dated: March 19, 2021

/s/ Laura Taylor Swain
LAURA TAYLOR SWAIN
United States District Judge